



# CITY OF LODI COUNCIL COMMUNICATION

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**AGENDA TITLE:** Adopt Resolution Approving the Established Overall Annual Disadvantaged Business Enterprise (DBE) Goal of 9% for FHWA-Assisted Projects for Federal Fiscal Year 2004/05

**MEETING DATE:** October 6, 2004

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council adopt a resolution approving the Established Overall Annual DBE Goal for Federal Fiscal Year (FFY) 2004/05 for Federal Highway Administration (FHWA)-assisted projects to facilitate timely submission to the California Department of Transportation (Caltrans) for funding authority approval on behalf of the City of Lodi.

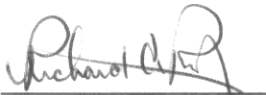
**BACKGROUND INFORMATION:** The City of Lodi is required to develop and submit an Overall Annual Goal for DBE participation on U.S. Department of Transportation (DOT)-assisted contracts, as a condition of federal financial assistance, pursuant to revised regulations set forth under Title 49 CFR Part 26; *Participation by Disadvantaged Business Enterprises in Department of Transportation Programs*. In accordance with these DBE regulations, the City of Lodi has established an Overall Annual DBE Goal for FFY 2004/05 for FHWA-assisted projects, to ensure full compliance with relevant regulatory requirements.

The Established Overall Annual DBE Goal of 9% for FFY 2004/05 DOT-assisted contracts addresses critical components and fulfills specific requirements for narrow tailoring in accordance with Title 49 CFR Part 26. The City of Lodi's Established Overall Annual DBE Goal was developed utilizing the federal prescribed two-step goal setting methodology. Step I included establishing a Base Figure utilizing quantifiable evidence to determine the relative availability of DBEs within specified industries identified as a part of the City's DOT assisted contracting projects anticipated to be awarded by the City of Lodi within FFY 2004/05. The City utilized the California UCP Directory of Certified DBE Firms and the 2001 U.S. Census Bureau: County Business Patterns, NAICS database to complete this step. Upon establishing the Base Figure, the City surveyed and assessed other known relevant evidence to determine what additional adjustments, if any, were needed to narrowly tailor the Base Figure to the City of Lodi's market area. Factors considered in the adjustment of the Base Figure included the historical and current capacity of DBEs measured by actual attainments on similar projects. Following Council's approval of the Established Overall Annual Goal for FFY 2004/05, staff will submit to Caltrans for their final review.

The Established Overall Annual Goal for FFY 2004/05 will be updated annually to maintain relevancy to local market conditions and factors impacting DBE availability.

Council approval and adoption of the Established Overall Annual DBE Goal for Federal Fiscal Year 2004/05 is required to ensure compliance with Department of Transportation's federal funding requirements, provisions and financial responsibilities. Failure to do so will directly jeopardize the City of Lodi's federal financial assistance.

**FUNDING:** None required.

  
Richard C. Prima, Jr.  
Public Works Director

Prepared by Rebecca Areida, Management Analyst  
RCP/RA/pmf  
Cc: Padilla & Associates

**APPROVED:**   
Janet S. Keeter, Interim City Manager

RESOLUTION NO. 2004-199

A RESOLUTION OF THE LODI CITY COUNCIL  
APPROVING AND ADOPTING THE ESTABLISHED OVERALL  
ANNUAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL OF  
9% FOR FEDERAL HIGHWAY ADMINISTRATION (FHWA)-ASSISTED  
PROJECTS FOR FEDERAL FISCAL YEAR 2004-05

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WHEREAS, the City of Lodi is required to develop and submit an Overall Annual Goal for Disadvantaged Business Enterprise (DBE) participation for U. S. Department of Transportation (DOT)-assisted contracts, as a condition of federal financial assistance, pursuant to Title 49 CFR Part 26; *Participation by Disadvantaged Business Enterprises in Department of Transportation Programs*; and

WHEREAS, in accordance with DBE regulations, the City of Lodi has established an Overall Annual DBE Goal for federal fiscal year 2004-05 for FHWA-assisted projects to ensure full compliance with relevant regulatory requirements; and

WHEREAS, the City of Lodi has established a goal of 9% for DOT-assisted projects for federal fiscal year 2004-05; and

WHEREAS, City Council adoption is required to ensure compliance with DOT's federal funding requirements, provisions, and financial responsibilities.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the approval and adoption of the Established Overall Annual DBE Goal of 9% for FHWA-assisted projects for federal fiscal year 2004-05, and submission to the California Department of Transportation for funding authority approval on behalf of the City of Lodi.

Dated: October 6, 2004

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I hereby certify that Resolution No. 2004-199 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 6, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, and Howard

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Land and Mayor Hansen

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON  
City Clerk

CITY COUNCIL

LARRY D. HANSEN, Mayor  
JOHN BECKMAN  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

## PUBLIC WORKS DEPARTMENT

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JANET S. KEETER  
Interim City Manager  
SUSAN J. BLACKSTON  
City Clerk  
D. STEVEN SCHWABAUER  
City Attorney  
RICHARD C. PRIMA, JR.  
Public Works Director

September 29, 2004

Padilla & Associates  
2650 E. Imperial Highway, Suite 204  
Brea, CA 92821

SUBJECT: Adopt Resolution Approving the Established Overall Annual Disadvantaged Business Enterprise (DBE) Goal of 9% for FHWA-Assisted Projects for Federal Fiscal Year 2004/05

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, October 6, 2004. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Rebecca Areida, Management Analyst, at (209) 333-6800, extension 2658.



for : Richard C. Prima, Jr.  
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk